

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

_____)	
ELIZABETH SAMS,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 05-490
)	
LUMENOS, INC.,)	
)	
Defendant.)	
_____)	

ORDER

This matter comes before the Court on Defendant's Motion to Dismiss or, in the alternative, for Summary Judgment. It appearing to the Court that Plaintiff has stated a claim upon which relief may be granted and that Defendant's Motion for Summary Judgment is premature, it is hereby

ORDERED that Defendant's Motion to Dismiss is DENIED and Defendant's Motion for Summary Judgment is DENIED without any prejudice to raise the motion again at the end of discovery.

/s/

CLAUDE M. HILTON
UNITED STATES DISTRICT JUDGE

Alexandria, Virginia
June 22, 2005